



Northwest Women's Law Center

Advancing legal rights for women

June 21, 2007

Justice Charles W. Johnson, Chair
Supreme Court Rules Committee
Temple of Justice
P.O. Box 40929
Olympia, WA 98504

Re: Comment re Proposed Rule ER 1101

Dear Justice Johnson,

I am writing on behalf of the Northwest Women's Law Center to comment regarding the proposed revisions to ER 1101. Although the Law Center appreciates the Rules Committee's effort to expand ER 1101 to encompass sexual assault protection orders and thereby ease the burden on victims seeking such orders, we share the concerns raised by the Washington Coalition of Sexual Assault Programs (WCSAP) regarding the ambiguity created by the proposed revision.

As WCSAP explains in its May 30, 2007, letter, because the proposed revision does not expressly address the interaction between ER 1101 (as proposed), RCW 7.90.080 and ER 412, the revisions could be used by a perpetrator to attempt to circumvent Washington's rape shield laws/rules. Consequently, we support WCSAP's proposed addendum to ER 1101, which would clarify that ER 1101 is not intended to and does not abrogate the protections provided to victims by RCW 7.90.080 and ER 412.

Thank you in advance for your consideration. If you have questions or comments, please contact me.

Sincerely,

/S/ (*sent electronically*)

Molly Lawrence
Interim Legal & Legislative Counsel